



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

February 13, 2022

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Michael Avenatti*, 19 Cr. 374 (JMF)**

Dear Judge Furman:

The Government respectfully submits this letter to inform the Court of a recent ruling in another case that may bear on the Court's forthcoming opinion regarding two of the defendant's motions.

On January 20, 2022, the defendant filed a motion to "compel the Government to produce forthwith all *Brady*, *Giglio*, and 3500 materials in the possession of individuals at Main Justice and the U.S. Attorney's Office for the Central District of California." (Dkt. No. 279 at 1.) On January 22, 2022, the defendant filed a motion to compel the Government to produce "Tabs and FileSite data" "in the possession of Main Justice and the U.S. Attorney's Office for the Central District of California." (Dkt. No. 290 at 1.) On January 24, 2022, this Court issued an order denying both motions, "[f]or reasons to be summarized in Court today and to be spelled out in a forthcoming opinion." (Dkt. No. 300.) Later that morning, this Court summarized its ruling on the record and indicated that it would subsequently "be issuing an opinion." (1/24/22 Tr. 71-72.)

On February 9, 2022, Judge Gardephe issued an opinion denying the defendant's post-sentencing motion for a new trial in a separate prosecution of the defendant. *See United States v. Avenatti*, No. S1 19 Cr. 373 (PGG), 2022 WL 394494 (S.D.N.Y. Feb. 9, 2022). As may be relevant to this Court's forthcoming opinion, Judge Gardephe held that the United States Attorney's Office for the Southern District of New York and the United States Attorney's Office for the Central District of California "were not engaged in a joint investigation or prosecution" of the defendant. *Id.* at \*11.

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Respectfully submitted,

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cc: Michael Avenatti (by ECF via standby counsel)